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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,591	08/27/2001	Takao Yoshimine	213072US6	3732

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EXAMINER	
SALL, EL HADJI MALICK	

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/938,591	YOSHIMINE ET AL.	
	Examiner	Art Unit	
	El Hadji M Sall	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *11/10/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. **DETAILED ACTION**

This action is responsive to the application filed on August 27, 2001. Claims 1-8 are pending. Claims 1-8 represent system for automatically recognizing devices connected in a distributed processing environment.

2. Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 3-5 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takihiro et al. U.S. 6,278,712.

Takihiro teaches the invention substantially as claim including network and switching node in which resource can be reserved.

As to claim 1, Takihiro teaches a server reservation method whereby a user terminal apparatus makes a reservation for the use of a processing server that performs predetermined processing to a reservation control apparatus that controls the reservation state of said processing server via a network in order for said user terminal apparatus to use the functions of said processing server by accessing said processing server via the network, said server reservation method comprising:

a reservation requesting step of sending reservation request information including a desired service time to use said processing server from said user terminal apparatus to said reservation control apparatus via the network (abstract, Takihiro discloses a user terminal sends a resource reservation request message in which time information indicative of time to perform a communication is designated to a switching node to which the self user terminal is linked);

a permission notifying step of transmitting, when the reservation for the use of said processing server during said desired service time included in said reservation request information is accepted, the permission notification information to notify that the reservation is accepted, to said user terminal apparatus via the network (column 4, 42-44, Takihiro discloses a reservation state notifying unit for notifying all of other switching nodes of a reservation state when the reservation unit reserves a resource; column 30, lines 60-67, Takihiro discloses each user terminal has reservation requesting means for sending a resource reservation request in which permissible time range information indicative of a permissible time range of time and date to perform a communication and communication quantity information indicative of a quantity of data to be transferred by the communication is designated to a switching node to which said user terminal is linked);

a reconfirming step of transmitting reconfirmation information for said accepted reservation, from said user terminal apparatus to said reservation control apparatus via the network (figure 36; column 26, lines 59-61, Takihiro discloses The user of the user equipment can always confirm the present resource reservation state in accordance with necessity).

Takihiro fails to teach a reservation confirming step of confirming said reservation when said reservation control apparatus receives said reconfirmation information sent from said user terminal apparatus, by a predefined time before said desired service time, and of canceling said reservation when said reservation control apparatus does not receive said reconfirmation information by a predetermined time before said desired service time.

However Takihiro teaches resource reservation cancellation (column 18, lines 61-65, Takihiro discloses In the case where the transmission and destination user terminals are not linked to the self switching node, the controller 21 transfers the received failure notice message 53 via the communication path of the communication in which the reservation is cancelled; figure 41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Takihiro to provide a reservation confirming step of confirming said reservation when said reservation control apparatus receives said reconfirmation information sent from said user terminal apparatus, by a predefined time before said desired service time, and of canceling said reservation when said reservation control apparatus does not receive said reconfirmation information by a predetermined time before said desired service time. One would be motivated to do so to allow other users to use the time slot previously reserved by the user.

As to claim 3, Takihiro teaches server reservation method according to claim 1, wherein said predetermined processing executed by said processing server is processing of distributing content data by streaming to the requesting client terminal apparatus via the network (column 5, lines 53-57, Takihiro discloses a developed characteristic of the invention is that a user interface program to be executed by user equipment and a network resource management program to be executed by a server and a node are used to realize the above-mentioned network resource reservation; column 19, lines 63-66, Takihiro discloses the service in the service class "A" or "A-" is adapted to the communication requiring the real-time performance, it can be considered that the user of the destination user terminal knows the contents of the reservation).

As to claim 4, Takihiro teaches server reservation method according to claim 1.

Takihiro fails to teach said permission notifying step does not permit said reservation when the total time of reservations by the user of said user terminal apparatus during a predetermined period exceeds a preset time.

However, Takihiro teaches the permissible time range of the communication time (column 10, lines 23-27, Takihiro teaches when the user transfers a file of a predetermined amount of data, a time zone (permissible time range of the communication time) during which the file is transferred is designated by the communication start time 519 and the communication end time 520).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Takihiro by provide said permission notifying step does not permit said reservation when the total time of reservations by the user of said user terminal apparatus during a predetermined period exceeds a preset time. One would be motivated to do so to allow users to use reserved time paid only.

As to claim 5, Takihiro teaches A reservation control apparatus for controlling reservations for the use of a processing server that carries out predetermined processing in order for a user terminal apparatus to use the functions of said processing server by accessing said processing server via a network, said reservation control apparatus comprising:

receiving means for receiving reservation request information including a desired service time to use said processing server supplied from said user terminal apparatus via the network (abstract, Takihiro discloses a user terminal sends a resource reservation request message in which time information indicative of time to perform a communication is designated to a switching node to which the self user terminal is linked);

permission notifying means for sending, when the reservation for the use of said processing server during said desired service time included in said reservation request information is accepted, permission notification information to notify that the reservation is accepted, to said user terminal apparatus via the network (column 4, 42-44, Takihiro discloses a reservation state notifying unit for notifying all of other switching nodes of a reservation state when the reservation unit reserves a resource; column 30, lines 60-67, Takihiro discloses each user terminal has reservation requesting means for sending a resource reservation request in which permissible time range information

indicative of a permissible time range of time and date to perform a communication and communication quantity information indicative of a quantity of data to be transferred by the communication is designated to a switching node to which said user terminal is linked);

reconfirmation information receiving means for receiving the reconfirmation information for said accepted reservation sent from said user terminal apparatus via the network (figure 36; column 26, lines 59-61, Takihiro discloses The user of the user equipment can always confirm the present resource reservation state in accordance with necessity).

Takihiro fails to teach reservation confirming means for confirming said reservation when said reconfirmation information is received by a predetermined time before said desired service time, and for canceling said reservation when said reconfirmation information is not received by a predetermined time before said desired service time.

However Takihiro teaches resource reservation cancellation (column 18, lines 61-65, Takihiro discloses In the case where the transmission and destination user terminals are not linked to the self switching node, the controller 21 transfers the received failure notice message 53 via the communication path of the communication in which the reservation is cancelled; figure 41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Takihiro to provide a reservation confirming step of confirming said reservation when said reservation control apparatus receives said reconfirmation information sent from said user terminal apparatus, by a predefined time before said desired service time, and of canceling said reservation when said reservation control apparatus does not receive said reconfirmation information by a predetermined time before said desired service time. One would be motivated to do so to allow other users to use the time slot previously reserved by the user.

As to claim 7, Takihiro teaches the reservation control apparatus according to claim 5.

Takihiro fails to teach further comprising reservation permission judging means for judging whether the total reservation time by the user of said user terminal apparatus during a preset period exceeds the preset time and for rejecting said reservation when the total reservation time by the user of said user terminal apparatus during a preset period exceeds the preset time.

However, Takihiro teaches the permissible time range of the communication time (column 10, lines 23-27, Takihiro teaches when the user transfers a file of a predetermined amount of data, a time zone (permissible time range of the communication time) during which the file is transferred is designated by the communication start time 519 and the communication end time 520).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Takihiro to provide reservation permission judging means for judging whether the total reservation time by the user of said user terminal apparatus during a preset period exceeds the preset time and for rejecting said reservation when the total reservation time by the user of said user terminal apparatus during a preset period exceeds the preset time. One would be motivated to do so to allow users to use reserved time paid only.

As to claim 8, Takihiro teaches a program storage medium storing a program to be executed by a reservation control apparatus that controls reservations for the use of a processing server that carries out predetermined processing in order for a user terminal apparatus to use the functions of said processing server by accessing said processing server via a network, said program comprising:

reception processing of receiving reservation request information including a desired service time to use said processing server supplied from said user terminal apparatus via the network (abstract, Takihiro discloses a user terminal sends a resource reservation request message in which time information indicative of time to perform a communication is designated to a switching node to which the self user terminal is linked);

permission notification processing of sending, when

the reservation for the use of said processing server during said desired service time included in said reservation request information is accepted, permission notification information to notify that the reservation is accepted, to said user terminal apparatus via the network (column 4, 42-44, Takihiro discloses a reservation state notifying unit for notifying all of other switching nodes of a reservation state when the reservation unit reserves a resource; column 30, lines 60-67, Takihiro discloses each user terminal has reservation requesting means for sending a resource reservation request in which permissible time range information indicative of a permissible time range of time and date to perform a communication and communication quantity information indicative of a quantity of data to be transferred by the communication is designated to a switching node to which said user terminal is linked);

reconfirmation information reception processing of receiving the reconfirmation information for said accepted reservation sent from said user terminal apparatus via the network (figure 36; column 26, lines 59-61, Takihiro discloses The user of the user equipment can always confirm the present resource reservation state in accordance with necessity).

Takihiro fails to teach reservation confirmation processing of confirming said reservation when said reconfirmation information is received by a predetermined time before said desired service time, and for canceling said reservation when said reconfirmation information is not received by a predetermined time before said desired service time.

However Takihiro teaches resource reservation cancellation (column 18, lines 61-65, Takihiro discloses In the case where the transmission and destination user terminals are not linked to the self switching node, the controller 21 transfers the received failure notice message 53 via the communication path of the communication in which the reservation is cancelled; figure 41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Takihiro to provide a reservation confirmation processing of confirming said reservation when said reservation control apparatus receives said

reconfirmation information sent from said user terminal apparatus, by a predefined time before said desired service time, and of canceling said reservation when said reservation control apparatus does not receive said reconfirmation information by a predetermined time before said desired service time. One would be motivated to do so to allow other users to use the time slot previously reserved by the user.

4. Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takihiro et al. U.S. 6,278,712 in view of Kubler et al. U.S. 6,389,010.

Takihiro teaches the invention substantially as claim including network and switching node in which resource can be reserved.

As to claim 2, Takihiro teaches the server reservation method according to claim 1.

Takihiro fails to teach a billing step of performing billing processing related to said reservation when the reservation is confirmed in said reservation confirming step.

However, Kubler teaches hierarchical data collection network supporting packetized voice communications among wireless terminals and telephones. Kubler teaches a billing step of performing billing processing related to said reservation when the reservation is confirmed in said reservation confirming step (column 62, lines 22-25, Kubler discloses upon confirmation of the delivery by the dock worker, a verified invoice is automatically generated by the radio terminal 4515 and routed to the inventory computer 4511 for inventory and billing purposes).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Takihiro in view of Kubler to provide a billing step of performing billing processing related to said reservation when the reservation is confirmed in said reservation confirming step. One would be motivated to do so to allow service providers to collect money up front.

As to claim 6, Takihiro teaches the reservation control apparatus according to claim 5.

Takihiro fails to teach billing means for carrying out billing processing related to said reservation when reservation is confirmed by said reservation confirming means.

However, Kubler teaches billing means for carrying out billing processing related to said reservation when reservation is confirmed by said reservation confirming means (column 62, lines 22-25, Kubler discloses upon confirmation of the delivery by the dock worker, a verified invoice is automatically generated by the radio terminal 4515 and routed to the inventory computer 4511 for inventory and billing purposes).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Takihiro in view of Kubler to provide billing means for carrying out billing processing related to said reservation when reservation is confirmed by said reservation confirming means. One would motivated to do so to allow service providers to collect money up front.

5. Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4010.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
Art Unit: 2157

MOUSTAFA M. MEKY
PRIMARY EXAMINER